

ORIGINALDecision No. 60831

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
 Southern California Water Company)
 for authority to exchange and dispose) Application No. 42373
 of certain of its property.)

OPINION AND ORDER

By the above-entitled application, filed June 16, 1960, Southern California Water Company, a corporation, requests authority to exchange and dispose of certain of its utility property in Orange County. This property consists of a 21-foot strip of land along the northwesterly boundary of the property upon which is located applicant's Dale Plant.

The 21-foot parcel is included in the properties proposed to be condemned by the Orange County Flood Control District in its action in the Superior Court of the State of California in and for the County of Orange (Case No. S.C.C. 77625). Applicant has negotiated with the Orange County Flood Control District, however, to convey this strip of land to the District in exchange for the conveyance to applicant of a parcel of land located immediately northerly of the site of the Dale Plant and on the northwest side of the flood control channel. Since both properties have frontages on Dale Street and since Dale Street bridges the flood control channel, the operation of these two separated properties as a unit is possible.

The Dale Plant comprises a water well, a pump and a pressure tank. Applicant alleges that the operation of this plant will not be adversely affected by this interchange of property.

The facts set forth in the application were substantiated by the Commission's staff by a field investigation on July 26, 1960, and no conditions were found to indicate that the exchange of property would interfere with the operation of the installed facilities.

The terms and conditions of the proposed transaction are set forth in a copy of an unexecuted instrument entitled "Right of Way Contract" which is designated Exhibit No. 1 in this proceeding. A copy of a map, entitled "Plot Plan", showing the two parcels, is designated Exhibit No. 2 herein.

It appears, and the Commission so finds, that the proposed exchange of property between applicant and Orange County Flood Control District will not be detrimental to, nor interfere with, the public utility operation of applicant and that the proposal is not adverse to the public interest. The order contained herein will grant the authority requested by applicant.

The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

The Commission having considered the request of applicant and being of the opinion that the application should be granted and that a public hearing is not necessary; therefore,

IT IS HEREBY ORDERED that:

(1) Southern California Water Company, a corporation, be and it is hereby authorized to enter into an agreement on or before March 31, 1961, with Orange County Flood Control District providing for the sale, conveyance, exchange and disposition of certain of its lands, rights-of-way and easements in the Stanton area of Orange County in accordance with the terms and conditions set forth in a copy of an unexecuted instrument entitled "Right of Way Contract" which is designated Exhibit No. 1 herein.

(2) If the authority granted herein is exercised, Southern California Water Company, shall, within thirty days thereafter, file with this Commission a certified copy of the agreement as finally executed.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 4th day of October, 1960.

Carroll A. [Signature]
President
[Signature]
[Signature]
[Signature]
Theodore Jenner
Commissioners